

10507490
Rec'd PCT/PTO 22 AUG 2005

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: SHINITZKY8

In re Application of:)	Conf. No.: 8573
Meir SHINITZKY)	
)	Art Unit:
)	
IA Filed: March 13, 2003)	Examiner:
)	
Appln. No.: 10/507,490)	Washington, D.C.
)	
)	August 22, 2005
For: DERIVATIVES OF 1,3-CYCLIC)		
PROPANDIOL PHOSPHATE AND THEIR...)		

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[X] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114; or

☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicant has made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below):

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein either was

☐ (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, not known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this IDS.

☐ ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR §1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035 of the undersigned.

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant states as follows under 37 CFR §1.97(e) for consideration of this IDS, that, upon information and belief, each item of information listed herein either was

☐ (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, not known to any individual designated in 37 CFR \$1.56(c) more than three months prior to the filing of this IDS.

Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in 37 CFR \$1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035 of the undersigned.

☒ 2. In accordance with 37 CFR \$1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR \$1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

☐ A. Document(s) _____ is/are deemed substantially cumulative to document(s) _____, and, in accordance with 37 CFR \$1.98(c), a copy of each of the former document(s) is not enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b (or their BN form equivalents) from the files of the prior application(s) or a fresh BN/SB/08A and/or BN/SB/08B listing these documents, and request that they be considered and made of record in accordance with 37 CFR \$1.98(d). Per 37 CFR

§1.98(d), copies of these documents need not be filed in this application.

[X] 3. Document(s) AE, BC, BE, and BF is/are not in the English language. In accordance with 37 CFR §1.98(a)(3), Applicant states:

- [] An English translation of each document _____ (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.
- [] For documents _____, a corresponding English-language patent or published application is included on the accompanying Form BN/SB/08A, with a line drawn in the margin connecting the non-English-language document with its corresponding English-language document.
- [X] A concise explanation of the relevance of document(s) AE, BC, BE, and BF is found in the attached International search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).
- [] A concise explanation of the relevance of document(s) _____ is set forth as follows:
- [] A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- [] A concise explanation of the relevance of document(s) _____ can be found on the attached sheet.

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

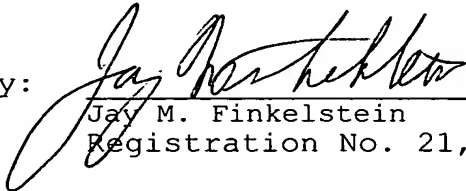
[] 5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK
Attorneys for Applicant(s)

By:


Jay M. Finkelstein
Registration No. 21,082

JMF:ses
624 Ninth Street, N.W., Suite 300
Washington, D.C. 20001-5303
Telephone: (202) 628-5197
Facsimile: (202) 737-3528
G:\BN\C\cohn\SHINITZKY8\PTO\ids.fee.doc

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/507,490
Filing Date	March 13, 2003
First Named Inventor	Meir SHINITZKY
Group Art Unit	
Examiner Name	
Attorney Docket Number	SHINITZKY8

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US- 4,472,320	09-18-1984	ASHANI et al	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Number Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	AB	WO 00/57865	10-05-2000	Meir SHINITZKY		
	AC	WO 00/57864	10-05-2000	Meir SHINITZKY		
	AD	WO 99/45016	09-10-1999	Mark ERION		
	AE	FR 2 209 553	12-08-1972	Pierre Eugene Chabrier et al		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AF	BOYD, R.K. et al "Glycerol 1,2-Cyclic Phosphate in Centric Diatoms" J.Biol. Chem., 262(26) (1987) pp:12406-12408	
	AG	CLARKE, N et al "Enzymic Formation of Glycerol 1:2-Cyclic Phosphate" Biochem. J. 153 (1976) pp:745-747	
	AH	DAWSON "Advances in Phosphoglyceride Chemistry" Ann.Rptd.Progr. Chem 55 4 (1958) pp 365-376	
	AI	DAWSON et al "The Enzymic Formation of myoinositol 1:2-Cyclic Phosphate from Phosphatidylinositol" Biochem J., 122 (1971) pp: 605-607	
	AJ	FORREST H.S. et al "Nucleotides. Part V. Riboflavin-5' Phosphate" J. Chem.Soc., (1950) 3295-3299	
	AK	FRIEDMAN, P. et al "Conversion of lysophospholipids to cyclic lysophosphatidic acid by phospholipase" D.J. Biol. Chem. 271 (1996) pp: 953-957	
	AL	HAGG, T. et al "Ciliary neurotrophic factor prevents degeneration of adult rat substantia nigra dopaminergic neurons in vivo" Proc. Natl. Acad. Sci., 90 (1993) pp:6315-6319	
	AM	KENNEDY and WEISS "The function of cytidine coenzymes in the biosynthesis of Phospholipides" J. Biol. Chem 222 (1956) p 193-214	
	AN	KNUSEL, B. et al "Selective and Nonselective Stimulation of Central Cholinergic and Dopaminergic Development in vitro by Nerve Growth Factor, Basic Fibroblast Growth Factor, Epidermal Growth Factor, Insulin and the Insulin-like Growth Factors I and II" Neurosci., 10(2) (1990) pp 558-570	

Examiner
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 3

Complete if Known

Application Number	10/507,490
Filing Date	March 13, 2003
First Named Inventor	Meir SHINITZKY
Group Art Unit	
Examiner Name	
Attorney Docket Number	SHINITZKY8

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AO	KNUSEL, B. et al "Promotion of central cholinergic and dopaminergic neuron differentiation by brain-derived neurotrophic factor but not neurotrophin 3" Proc. Natl. Acad. Sci. 88 (1991) pp961-965	
	AP	LELOIR, L.F. "The Enzymatic Transformation of Uridine Diphosphate Glucose into a Galactose Derivative" Biochem. Biophys., J., 33 (1951) p 186	
	AQ	LIN, L.F.H. et al "GDNF: A Glial Cell Line-Derived Neurotrophic Factor for Midbrain Dopaminergic Neurons" Science 260 (1993) PP1130-1134	
	AR	MARKHAM, R. et al "The Structure of Ribonucleic Acids" Biochem. J. 52 (1952) p 552-557	
	AS	SHINITZKY, M., et al "Formation of 1,3-cyclic glycerophosphate by the action of phospholipase C on phosphatidylglycerol" J. Biol. Chem. 268 (1993) pp: 14109-14115	
	AT	SHINITZKY, M. et al "Induction of intracellular signaling by cyclic glycerophosphates and their deoxy analogues" Eur. J. Biochem. 267 pp: 2547-2554	
	AU	SU, B., et al "Identification of a Putative Tumor Marker in Breast and Colon Cancer" Cancer Res., 53 (1993) pp: 1751-1754	
	AV	TOMAC, A. et al "Protection and repair of the nigrostriatal dopaminergic system by GDNF in vivo" Nature 373 (1995) pp:335-339	
	AW	UKITA, T., et al "Studies on the Alkaline Hydrolysis of Lecithin: Synthesis of Cyclic 1,2-Glycerophosphate" J.Biol.Chem. 216 (1955) pp: 867-874	
	AX	KINOR, A. et al "CYCLIC GLYCEROPHOSPHATES FOR THE TREATMENT OF PARKINSONS'S DISEASE" Neuroscience Letters 54 (1999) p 24	
	AY	HENSCHLER et al "THE INHIBITORY EFFECT OF NEUROPATHIC ORGANOPHOSPHATE ESTERS ON NEURITE OUTGROWTH IN CELL CULTURES: A BASIS FOR SCREENING FOR DELAYED NEUROTOXICITY" Toxicology in Vitro 6(4) (1992) pp327-335	
	AZ	LEES, G. et al "A Simple Polar Deacetylated Caloposide Derivative is a Positive Modulator of the GABA _A Chloride Channel Complex in Cortical Mammalian Neurones" Bioorganic & Medicinal Chemistry Letters 10(15) (2000) pp:1759-1761	

Examiner
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/507,490
		Filing Date	March 13, 2003
		First Named Inventor	Meir SHINITZKY
		Group Art Unit	
		Examiner Name	
Sheet 3 of 3	Attorney Docket Number	SHINITZKY8	

BA	HAIMOVITZ et al "Neuronal outgrowth and rescue induced by cyclic phosphates in PC12 cells" Life Sciences 69 (2001) pp: 2711-2723	
BB	UKITA et al "Organic Phosphates. I. Synthesis of 1,2-Diol Cyclic Phosphates" Pharmaceutical Society of Japan 5(2) (1957) pp: 121-126	
BC	REVEL M. et al "Heterocycles contenant du Phosphore" Organic Magnetic Resonance 8(8) pp:399-406	
BD	AYRES, D ET AL "The Organic Chemistry of Phosphorus. Part V. The Ester interchange Reaction between Triphenyl Phosphite and Glycols" Journal of the Chemical Society (1957) pp: 1109-1114	
BE	CHABRIER et al "Influence de la phosphorylation sur les proprietes pharmacologiques des composés biologiquement actifs" Annales Pharmaceutiques Francaises 38(1) (1980) pp 65-74	
BF	CHABRIER et al "Influence de la phosphorylation sur les proprietes des composés biologiquement actifs" Annales Pharmaceutiques Francaises 36(7-8) (1978) pp: 341-348	
BG	LEADER et al "Reversible Masking of Acetylcholinesterase by Covalent Phosphorylation in the Presence of a Novel Cyclic Phosphate Ester" ACS Symposium Series 171 (1982) pp: 179-182	
BH	LAVEY, B.J. et al "Catalytic Antibody Mediated Hydrolysis of Paraoxon" Journal of Organic Chemistry 61(21) (1996) pp:7633-7636	
BI	LAVEY, B.J. et al "Antibody Catalyzed Hydrolysis of a Phosphotriester" Bioorganic & Medicinal Chemistry Letters 6(13) (1996) pp:1523-1524	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.